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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

Proceeding	91237315
Party	Plaintiff American Marriage Ministries
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Applicant.

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) Opposition No.
) 91237315

Tuesday, January 12, 2021

JOB NO. 188550

1 12TH OF JANUARY, 2021

2 9:13 A.M.

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4
5 DEPOSITION OF GEORGE FREEMAN,
6 VOLUME 2, HELD REMOTELY VIA VIDEO
7 CONFERENCE, BEFORE GWEN BRASS, A
8 CERTIFIED COURT REPORTER IN THE STATE OF
9 WASHINGTON.

1 A P P E A R A N C E S

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3
4 MATESKY LAW

5 Attorneys for Applicant

6 1001 Fourth Avenue

7 Seattle, Washington 98154

8 BY: MICHAEL MATESKY, ESQ.

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12
13 FOSTER GARVEY

14 Attorneys for Opposer

15 111 Third Avenue

16 Seattle, Washington 98101

17 BY: BENJAMIN HODGES, ESQ.

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20
21
22 ALSO PRESENT:

23 NANCY STEPHENS, Foster Garvey

1 GEORGE FREEMAN,

2 called as a witness, having been
3 duly sworn remotely via Zoom video conference
4 by the certified stenographer, was examined
5 and testified as follows:

6
7 EXAMINATION

8 BY MR. HODGES:

9 Q. Thank you, Mr. Freeman. I'll try
10 to get through this relatively quickly.

11 Counsel's informed me that it would
12 be helpful to have your declaration up on the
13 screen, so I'm going to screen-share that with
14 you right now, and this will be Exhibit 1 as
15 well.

16 (Exhibit 1, Testimony Declaration
17 of George Freeman, was marked for
18 identification.)

19 BY MR. HODGES:

20 Q. Is your declaration on the screen
21 right now?

22 A. It is.

23 Q. Okay. Is that a good size for you
24 to be able to see it?

25 A. I can see it. Thank you.

1 Q. Okay. So, Mr. Freeman, as you
2 said, this is a declaration that you did in
3 this case. I'm going to go down a few pages.

4 Is that your signature on the
5 declaration?

6 A. Yes.

7 Q. Okay. That's the signature that
8 appears on page 4.

9 Can you tell me who wrote this
10 declaration, Mr. Freeman?

11 A. Counsel and I wrote the
12 declaration. We went back and forth, but he
13 made some changes and thought that it was
14 better grammar; but other than that, it's a
15 mutual effort.

16 Q. Okay. I'm scrolling down, as you
17 can see. I'm going to look at paragraph 12 on
18 the page. Do you see that paragraph 12 there?

19 A. I do.

20 Q. Okay. It reads: I have been
21 involved in the field of religious services
22 for well over 30 years and have never heard
23 anyone referred to "get ordained" or "get
24 ordained services" as a common or generic term
25 for any class or category of services,

1 including any services provided by ULC
2 Monastery.

3 Have you ever googled the phrase
4 "get ordained"?

5 A. Have I ever googled the phrase?

6 Q. Yeah.

7 A. I don't know if I have. I perhaps
8 may have. I just don't remember.

9 Q. Have you ever searched for the
10 phrase "get ordained" with any other search
11 engine other than Google?

12 A. Hm. I may have. I just don't
13 recall.

14 Q. Do you know if any competitors to
15 your company use the phrase "get ordained"?

16 A. Let us correct you, counsel. We're
17 a church; we're not a company. I'd appreciate
18 you refer to us as a church.

19 Q. Okay. Do you know of any other
20 churches or any other ordination services that
21 use the phrase "get ordained"?

22 A. Do I know of others? I guess they
23 may, they could. I just don't know of any
24 others. I -- I'm not the SEO guy. I'm a
25 two-year old presiding chaplain. I don't get

1 into that arena, sir.

2 Q. Okay. Do you know of any other
3 either companies or churches that use the
4 phrase "ordained" to describe their services?

5 A. I believe your clients do.

6 Q. Do you know of any others?

7 A. I would have to look online and --
8 but I -- I believe that the old Universal Life
9 Church, not the Monastery, but I think that
10 they may.

11 Q. Okay. Do you know of any others
12 beyond those two?

13 A. I don't at this point. I really
14 don't get into the internet side of our
15 operations that much anymore, sir.

16 Q. Okay. If I turn your attention to
17 the paragraphs directly above. It mentions a
18 getordained.org website and a trademark that
19 has been used on that getordained.org website;
20 is that correct?

21 A. Yes, that's what it says.

22 Q. Is 2011 when the getordained.org
23 was first used by your church?

24 A. I think that your -- your -- the
25 clients, when they built that website, did

1 that work.

2 Q. And was that --

3 A. When I think that -- I don't know
4 when that website came up, but, anyhow, I know
5 that they're the ones that worked on it.

6 Q. Okay. Do you know why your church
7 chose to start using the getordained.org
8 domain name?

9 MR. MATESKY: Objection. Beyond
10 the scope of direct testimony.

11 THE WITNESS: You want me to answer
12 the question?

13 BY MR. HODGES:

14 Q. Could --

15 A. Do I know why the church choosed
16 that name?

17 Q. Yes, sir.

18 A. Is that your question?

19 Q. Yes, it is, sir.

20 A. I believe that your clients were
21 involved in that decision along with our
22 existing web master back at that time. I
23 don't -- I just can't remember that far back.
24 But it was -- it was Glen, Maurice, and Dylan
25 and -- at the time that that came online.

1 Q. Okay. Let's look at paragraph 13.

2 A. Um-hum.

3 Q. It says: Based on my extensive
4 experience in the field of religious services,
5 I do not believe that the term "get ordained"
6 has any generic meaning in relation to ULC
7 Monastery's services.

8 Can you tell me what ULC
9 Monastery's services are?

10 A. Services would be celebrations,
11 weddings, baptismals, burials. Those are
12 services. Ecclesiastical services, marriage
13 services, burial services. I -- I don't know
14 that get ordained is a service, sir.

15 Q. Is ordination services one of the
16 services offered by ULC Monastery?

17 A. Well, depends upon your
18 interpretation of services. My interpretation
19 of services is a service. You know? We're
20 going to have a service.

21 Q. Okay. Is one of the services
22 offered by ULC Monastery ordaining people so
23 they are qualified to perform marriage
24 ceremonies?

25 A. People do have ordination services,

1 yes.

2 Q. And those services are offered by
3 ULC Monastery?

4 A. But they're not get ordained
5 services, sir. They're ordination service.

6 If you're talking about a religious
7 service -- is that what you're talking about?

8 Q. I am talking about the services
9 offered by ULC Monastery.

10 A. Could you define "service" for me.
11 What service are you talking about?

12 Q. Well, I'm looking at your
13 declaration, so I want to make sure that we're
14 talking about what you are talking about.
15 So --

16 A. Well, I...

17 MR. MATESKY: It might help to
18 refocus --

19 THE WITNESS: I --

20 MR. MATESKY: -- on the paragraph
21 you're referring to.

22 MR. HODGES: Could you say that
23 again, Mr. Matesky. I didn't hear you
24 that well.

25 MR. MATESKY: I was just saying it

1 might help to refocus your attention on
2 the paragraph that Ben is referring to
3 because he said he's referring to your
4 testimony. So if you could, you know,
5 point your attention again --

6 MR. HODGES: Okay.

7 MR. MATESKY: -- to what he's
8 referring to, that might be helpful.

9 BY MR. HODGES:

10 Q. Okay. So in paragraph 13,
11 Mr. Freeman, you have a statement about ULC
12 Monastery services. So I'm --

13 A. Right.

14 Q. -- trying to make it clear what you
15 are referring to as ULC Monastery services in
16 that paragraph.

17 A. As I said in that paragraph, based
18 upon my experience in the field of religious
19 services, I do not believe the term "get
20 ordained" has any generic meaning in relation
21 to ULC's monastery services.

22 Q. And I understand that's what -- I
23 understand --

24 A. I --

25 (Parties speaking simultaneously.)

1 THE STENOGRAPHER: One at a time,
2 please.

3 BY MR. HODGES:

4 Q. What -- what are ULC Monastery
5 services as you reference in that paragraph?

6 A. I think that I just said so.
7 Burials, funerals, baptismals, weddings,
8 subligatory (phonetic) holy days. Those are
9 services. Nobody -- services, service.

10 I've never heard of it. That's
11 what I said in that paragraph, and that's what
12 I'm saying now. That I don't know if you have
13 ever heard anybody say it that way either.

14 Q. Are ordination services one of the
15 services offered by ULC Monastery?

16 A. Are you talking about the service
17 that somebody cleans the house, or are you
18 talking about a religious service, sir?
19 There's two definitions here. Which one are
20 you using?

21 Q. I am using the definition -- the
22 same definition that you are using in
23 paragraph 13. So are ordination services one
24 of those services?

25 A. I'm using ecclesiastical. I'm

1 using sacerdotal. I'm using religious.

2 Q. Okay. And so are ordination
3 services one of those services?

4 A. No. They're not a religious
5 service. It's not part of religion. It's
6 cleaning the kitchen or the toilet, that kind
7 of service.

8 Q. So you do not believe that
9 ordination services are one of ULC Monastery
10 services as you use the phrase?

11 A. If we go back to 12, it -- I said
12 already, and I don't know how or what you want
13 to change the narrative so that you can get me
14 to say something that's not in my declaration.
15 And I'm just going to hold on that, counselor.

16 I don't know what you're talking
17 about, and I think I've answered your
18 question. I don't want to go any further on
19 it.

20 Q. Can you see this declaration that
21 is now on the page from Mr. Dallas Goschie?

22 A. I see the main page, number 1, yes.

23 MR. HODGES: Okay. This will be
24 Exhibit 2.

25 (Exhibit 2, Testimony Declaration

1 of Dallas Goschie, was marked for
2 identification.)

3 BY MR. HODGES:

4 Q. Turning your attention to paragraph
5 16, Mr. Goschie says in his experience, the
6 class or genus of service that's offered by
7 ULC Monastery whereby someone may become a ULC
8 minister is commonly identified as religious
9 services, church services, ecclesiastical
10 services, or ordination services.

11 Do you see that?

12 A. That's what he says.

13 Q. So do you --

14 A. Yes.

15 Q. -- disagree with Mr. --

16 A. I don't disagree because if you
17 read further, he says the class or genesis
18 [sic] of services whereby ULC Monastery sells
19 ministerial goods is commonly defined as
20 retail sales services or retail store services
21 or online services.

22 That's what I tried to explain when
23 I said that somebody comes in and -- maid
24 services, cleans the toilet. Or you get
25 service from a waiter. You're -- you're

1 talking about two different services, and what
2 Mr. Dallas is talking about is whatever he's
3 saying.

4 I'm not going to sit in here and
5 get into a -- a match of what he says versus
6 what I said. I've said what I've said, and
7 I'm not going to change it. So can we go
8 somewhere else?

9 Q. I'm just trying to clarify whether
10 or not ULC Monastery offers ordination
11 services as some of its services.

12 A. Sir, I've answered that question
13 three or four times in different forms and
14 fashion. The declaration is what it is, and
15 I -- getting a little annoyed here. You're
16 sort of badgering me to make me say things
17 that are not true.

18 There are two types of services,
19 and you have to decide or make that decision
20 yourself. My declaration says the service is
21 what it is.

22 Q. Okay. So as you define --

23 A. I don't --

24 Q. -- services -- well --

25 A. I'm sorry.

1 Q. That's on the screen. So --

2 (Parties speaking simultaneously.)

3 THE STENOGRAPHER: One at a time,
4 please.

5 MR. MATESKY: Yeah, we've got to
6 take a break between speaking to make
7 sure we're not talking over each other.

8 BY MR. HODGES:

9 Q. Mr. Freeman, as you have defined
10 services, you do not think that ordination
11 services fit that -- your definition?

12 MR. MATESKY: Objection.

13 Misstates --

14 MR. HODGES: I think --

15 MR. MATESKY: -- prior testimony.

16 THE WITNESS: Counselor, I think
17 that we all have interpretations of
18 things in life, and not all our
19 definitions match each other's. So I'm
20 not going to controvert Dallas's
21 perception. I have my own perception,
22 and I've stated that to you, and we're
23 just going to stick on that.

24 BY MR. HODGES:

25 Q. And I am not asking you for

1 Mr. Goschie's perception. I'm asking for
2 yours.

3 As you have defined services in
4 your declaration, you do not believe that
5 ordination services are one of the services
6 offered by ULC Monastery; is that correct?

7 MR. MATESKY: Objection; leading.

8 Objection; asked and answered.

9 Objection; mischaracterizes prior
10 testimony.

11 I think you've asked this, you
12 know, six or seven times now, and he's
13 already answered it.

14 MR. HODGES: Well, I disagree, so I
15 want him to answer it now.

16 THE WITNESS: Okay. Again, we have
17 two types of services. One service that
18 the maid comes in and cleans. The
19 second service, the maid comes in and
20 sits down and prays. Which service are
21 you referring to?

22 BY MR. HODGES:

23 Q. Again, Mr. Freeman, turning your
24 attention to paragraph 13 of your declaration,
25 as you have used the phrase "ULC Monastery

1 services," is that --

2 A. Right.

3 Q. -- testimony that you do not
4 believe that ordination services fit that --
5 your own definition of ULC Monastery services?

6 A. My definition -- the paragraph 13
7 is part of my declaration, and we've been on
8 this for about 20, 30 minutes, a half an hour,
9 and my service is a service that the maid
10 cleans the house. Your interpretation of
11 service is that the maid gets down on her
12 knees and we pray. I do not believe that it
13 is ecclesiastical service. I believe that it
14 is a service similar to that of a waiter.
15 That's what I believe.

16 Now, I mean, how clearer can I make
17 it for you, sir?

18 Q. Well, it would be clear because I'm
19 asking a yes-or-no question, and all I want is
20 a yes or no to the question.

21 As you use the phrase "ULC
22 Monastery services," do ordination services
23 fit within that definition?

24 A. I'm not going to controvert or
25 change what I've said previously, and if you

1 can go somewhere else or if you want to sit
2 here and go back and forth on paragraph 13, it
3 is what it is, and that is my opinion of
4 service. It's not a religious service.

5 Q. Mr. Freeman, to be clear, I've got
6 seven hours to get you to give a yes-or-no
7 answer, and I'm happy to spend seven hours to
8 get a yes-or-no answer. I'm asking you --

9 (Parties speaking simultaneously.)

10 THE STENOGRAPHER: One at a time,
11 please.

12 MR. HODGES: Counselor, it's not
13 your turn to talk. Don't interrupt.
14 And you -- any more speaking objections,
15 and we will take that up with the board
16 as well. You can make objections. You
17 cannot coach the witness, and you cannot
18 do long-speaking objections.

19 BY MR. HODGES:

20 Q. So, Mr. Freeman, I've asked a
21 yes-or-no question multiple times. I have yet
22 to get yes or no as an answer.

23 The question is: As you have used
24 the phrase "ULC Monastery services" in
25 paragraph 13, are ordination services part of

1 ULC Monastery services?

2 MR. MATESKY: Objection; asked and
3 answered.

4 THE WITNESS: Ordinary --

5 Mr. Matesky, should I go forward?

6 MR. MATESKY: Sure.

7 THE WITNESS: Okay. Sir, I -- I --
8 I got to tell you: If you want to spend
9 seven hours on this, we're all at home
10 so let's just go for it. But, again,
11 it -- service is a service similar to
12 the maid cleaning the house. It is not
13 the maid praying. And if you're saying
14 that get ordained is a religious
15 service, I'm telling you that it is not.
16 And I --

17 (Parties speaking simultaneously.)

18 THE STENOGRAPHER: One at a time,
19 please.

20 THE WITNESS: I have not -- sorry.

21 Counselor, go ahead.

22 BY MR. HODGES:

23 Q. Mr. Freeman, I just want to
24 clarify. I haven't used the phrase "get
25 ordained" once in any of these questions

1 regarding this particular line of questions.

2 I have asked you whether or not you believe
3 ordination services, not get ordained,
4 ordination services are some of the services
5 offered by ULC Monastery as you have defined
6 or you understand the phrase "ULC Monastery
7 services" as you use them in paragraph 13.

8 A. I've never heard the word "get
9 ordained services" before we got into this
10 lawsuit. Most people don't say that, sir.
11 Really, quite frankly. It's sort of like
12 you've created this so that you can have an
13 extra edge in a litigation, but people don't
14 say "get ordained services." I've never heard
15 anybody say that.

16 Q. Again, Mr. Freeman, I want -- it is
17 important for you to listen to my question. I
18 did not ask about get ordained services. I
19 asked about ordination services. Just two
20 words. Ordination services. Are they
21 services offered by ULC Monastery as you
22 define "ULC Monastery services"?

23 A. Well, I want to get it clear
24 because the name of the game in litigation is
25 to try to confuse the witness and make him say

1 anything, and then it's an "I got you." And
2 you're not going to get me.

3 I'm telling you if you want the
4 service of being ordained, you can get the
5 Post Office and say I would like to get
6 ordained.

7 And do we have ordination
8 certificates that is a service we provide?
9 Yes. I think clarity is the issue here,
10 counselor, and I think that you need to be a
11 little clearer. And maybe I should be, too;
12 but, again, on this paragraph, based upon my
13 experience in the field of religious services
14 and that is referenced to ecclesiastical
15 services and those kind of services, I don't
16 believe that the term "get ordained" has any
17 meaning in relation to ULC Monastery services.

18 Now, ordination service, if you
19 want to get it -- or be ordained and get a
20 ordination certificate from us, we are
21 providing that service for you. So I think
22 that that's good enough for anybody to
23 understand.

24 Do you understand what I said, sir?

25 Q. Yes, sir. And, yes, that's -- I

1 think we finally have separated out "get
2 ordained" from "ordination services," which is
3 what I've been trying to do.

4 A. I don't have anything else to say.

5 Q. So let's go to paragraph 16. It
6 says: In the general spiritual context, the
7 words "get ordained" to refer to an
8 individual's recognition of a calling or
9 motivation to fulfill a spiritual purpose. It
10 is not an act that another person can perform
11 for you or a service that can -- that another
12 can provide to you but an act or recognition
13 that occurs within oneself.

14 And I'm going to ask you to
15 separate out "get ordained" from -- and listen
16 carefully to my question.

17 Is ordination a service that
18 another person can perform for you or a
19 service that another can provide to you?

20 A. Ordination?

21 Q. Just ordination by itself.

22 A. Well, ordination comes in two ways.
23 I think -- and we're talking about a
24 Christian -- well, I guess in the courts,
25 your -- get an ordination, too, and you're

1 ordained into a society or a club or you get a
2 letter of ordination that gives you the
3 authority to do something.

4 In this particular case, I --
5 you -- during an ordination service, I believe
6 if we look at the Catholic Church, one is
7 ordained. There is an official that performs
8 that service while people -- or Catholic
9 priests are ordained.

10 But, however, like in religious
11 scripture, you can have a calling. That's an
12 inner voice of the spirit or God, depends upon
13 what faith that you believe in, and you have
14 that little talk with Jesus and you become
15 ordained because Jesus and you have the
16 calling together. Or in Islam, I guess that
17 occurs also. Allah can speak to you.

18 I think in -- how you gain your
19 authority to communicate your doctrine to your
20 people or to your following or flock or
21 congregation comes a number of ways.

22 So I guess you could have an
23 ordination service. Seems logical to me.

24 Q. Can someone become ordained through
25 the Get Ordained website?

1 A. I'm smiling because there's a lot
2 of ordains here. And can someone become
3 ordained through the Get Ordained website?
4 You can get a certificate of ordination.

5 Q. Is that different than becoming
6 ordained?

7 MR. MATESKY: Objection. Asked and
8 answered.

9 THE WITNESS: Well --

10 MR. MATESKY: Go ahead.

11 THE WITNESS: Yeah. That's -- I
12 think it's -- I really don't understand
13 why are we having this back and forth on
14 get ordained and ordained? Or
15 ordination services. I mean, the
16 clarity is -- I think -- I talked to --
17 I think that this declaration is clear,
18 and I think it's reasonable that anybody
19 can understand it.

20 I don't know where you're going
21 basically, and I don't want to deter off
22 of my declaration because you are asking
23 questions that aren't related to exactly
24 what I said.

25 What I said is what I mean. I

1 don't -- you know, I just don't -- I
2 don't understand your question.

3 MR. MATESKY: I want to admonish
4 the witness just not to discuss the
5 content of any correspondence with
6 counsel.

7 BY MR. HODGES:

8 Q. So, Mr. Freeman, to clarify, you
9 said that someone could get an ordination
10 certificate from getordained.org; is that
11 correct?

12 A. Being what we see. I guess you
13 could -- you would -- you would get in the
14 mail or, if you came in the office, you would
15 get, meaning receive or obtain, if that's what
16 you're asking.

17 Q. So I understand that that's --
18 that's what you said, and I was trying to
19 clarify that -- my earlier question was if
20 someone could become ordained through the Get
21 Ordained website. And I wanted to make -- I
22 just wanted to make sure you and I were
23 talking about the same thing and clarify
24 whether or not become ordained and getting an
25 ordination certificate were different things.

1 Are they the same thing or are they
2 different things?

3 MR. MATESKY: Objection. Compound.

4 THE WITNESS: Well, when you --
5 your questions are very clouded for me.
6 No offense, but really, I mean -- I
7 don't know -- someone could receive a
8 letter of acknowledgement that you have
9 registered with the church through the
10 website Get Ordained.

11 Is that basically what you're
12 asking or saying, sir?

13 BY MR. HODGES:

14 Q. I want to put -- maybe this will
15 help. I'm going to put back up on the screen
16 Mr. Goschie's declaration just because it has
17 a copy of the Get Or- -- at least a copy of
18 the Get Ordained -- one of the websites.
19 Pages. Sorry.

20 Have you seen this page before?

21 A. I probably in the beginning. I
22 haven't looked at the -- I don't really look
23 at the website pages individually. But I've
24 seen it. I don't know how soon or how many
25 times it's been revised or altered, but

1 they -- I've seen pages like this. I just
2 don't know this one.

3 Could you go to your left and so
4 that I can see the full page a little bit
5 more. Or can you -- yeah, can you send so
6 it's not -- there we go. Thank you.

7 Q. You're welcome.

8 And on this page in green here --

9 MR. MATESKY: Could you get him to
10 review the page before you ask him
11 questions about it.

12 George, if you've -- fine, if
13 you're reviewed it, that's fine, but let
14 him know if there's more that you want
15 to see or you've had an opportunity to
16 look at it.

17 THE WITNESS: (Reviewing.)

18 BY MR. HODGES:

19 Q. Mr. Freeman, have you had an
20 opportunity to look at it or have you -- let
21 me know when you've had a chance.

22 A. Well, I've looked at it. What are
23 the issues -- what are you trying to point
24 with this page? And is this -- is this --
25 what website is this from?

1 Q. This is from your --

2 A. Is this Get Ordained?

3 Q. Yes, this is --

4 A. Okay. I understand. This is
5 getordained.org.

6 Q. Okay. So in green in the middle of
7 the page, it -- after it says: Here at Get
8 Ordained, legal ordination is just a few
9 clicks away.

10 A. Um-hum.

11 Q. So I wanted to make sure that I
12 am -- I am clear with -- you and I are clear
13 with each other.

14 Someone can receive a legal
15 ordination from getordained.org; is that
16 correct?

17 A. You receive a transcript that you
18 went through the process of doing that online.
19 We've confirmed it. We've put it into a
20 record. And we as a church, religious
21 institution, have accepted your ordination in
22 our records.

23 So if you have the urge to become
24 ordained or get ordained or had a calling to
25 become a minister, you could do that through

1 that transaction of coming to us, asking,
2 filling out the required information, and we
3 endorse you as a certified member of our
4 organization.

5 Q. Okay. So the --

6 A. Is that a satisfactory answer,
7 counselor?

8 Q. Yeah.

9 A. Okay.

10 You were joking about the seven
11 hours, aren't you?

12 Q. I truly -- I truly hope that we're
13 not here for seven hours. I think we all have
14 other things to do with our day.

15 A. Well, I'm going to walk out at
16 5 o'clock, sir, so we've got to be finished by
17 then. I have another appointment that I
18 cannot miss.

19 Q. So I want to turn your attention to
20 paragraph 20. It should be back up on the
21 screen.

22 A. It is.

23 Q. And in this paragraph it says:
24 However, when the phrase "Get Ordained" is
25 used prominently in connection to religious

1 services, ecclesiastical services, and
2 religious and spiritual information services
3 provided by ULC Monastery in the manner that
4 trademarks are typically used --

5 And I want to stop right there.
6 Can you tell me what you mean by the manner
7 that trademarks are typically used?

8 A. Well, I would have to -- I would
9 have to ask counsel because I think that he
10 was the one that told me that, but --

11 MR. MATESKY: George, George,
12 George, don't testify regarding
13 correspondence with counsel, please.

14 THE WITNESS: Oh. Okay. Sorry.

15 MR. MATESKY: Privileged.

16 THE WITNESS: I'm sorry, sir. I
17 forgot.

18 MR. MATESKY: Okay. I'm not saying
19 don't answer his question. Answer his
20 question to the extent you are able to
21 do so without disclosing the content --

22 (Parties speaking simultaneously.)

23 THE STENOGRAPHER: One at a time,
24 please.

25 (Discussion off the record.)

1 MR. MATESKY: Okay. I'll repeat
2 what I said.

3 George, please do not testify
4 regarding the content of correspondence
5 with counsel because that's
6 attorney-client privilege, but please do
7 answer Mr. Hodges' question to the
8 extent you can do so without disclosing
9 the content of correspondence with
10 counsel.

11 THE WITNESS: And I believe I said
12 I'm sorry, but I did not recall the
13 manner that trademarks are usually used.

14 BY MR. HODGES:

15 Q. Okay. Going on in this sentence it
16 says: As on the getordained.org website, for
17 example, I believe those words mean and are
18 primarily understood as identification of who
19 is providing the services.

20 I just wanted to clarify you
21 have -- the words are: Primarily understood
22 as.

23 Understood by whom?

24 A. Who? The reader I assume is who.
25 Or the provider. Who. In this case --

1 Q. Okay.

2 A. -- it's ULC Monastery making the
3 comparative to --

4 Q. Okay.

5 A. -- and choose.

6 Q. Okay. Have you ever spoken with
7 any ministers that your church has ordained
8 regarding their understanding of the words
9 "get ordained"?

10 A. I don't think anybody -- anybody --
11 anybody asks the word "get ordained." Nobody
12 gets that minute into this issue, sir.
13 Ordained, but nobody -- I don't think anybody
14 says "get ordained."

15 Q. Have you ever spoken -- I believe
16 you just answered but I'll -- my question was
17 narrow, so I will ask the follow-up question
18 to it.

19 Have you ever spoken to any
20 prospective ministers about their
21 understanding of the words "get ordained"?

22 A. I've never spoken to anybody but
23 you and counselor with the understanding of
24 "get ordained" or the word understanding of
25 "get ordained." It's -- no. Nobody does

1 that. I doubt if anybody else has either
2 other than attorneys.

3 MR. HODGES: Let me take a quick --
4 let's do a five-minute break, and then quite
5 possibly I will be done, Mike. So if you've
6 got anything, you might want to prep up, but
7 let's take a five-minute break.

8 (Recess taken from 9:53 a.m. to
9 10:14 a.m.)

10 MR. HODGES: Before you start,
11 Mike, I'll just make it clear on the
12 record that I've got no further
13 questions.

14 MR. MATESKY: Thank you,
15 Mr. Hodges.

16 We do have a few questions on
17 redirect.

18 I want to note that redirect is
19 under protest to the extent
20 cross-examination went beyond the scope
21 of direct examination and not be taken
22 as a waiver of that objection.

23 EXAMINATION

24 BY MR. MATESKY:

25 Q. So, Mr. Freeman, do you recall

1 testifying earlier that Mr. Hodges' clients
2 worked on the getordained.org website?

3 A. Yes, they did.

4 Q. Who were you referring --

5 A. I -- Maurice King, Lewis -- I don't
6 know if Lewis was there. Lewis came and left
7 two times. Glen -- Kanasuki (phonetic) I
8 believe it is and Dylan Wall. They are our
9 old employees who copied everything they could
10 from our website and then betrayed us and
11 opened up a new website.

12 Of course, I did note that Get
13 Ordained -- there was a conversation,
14 something about 2011, and I believe that Glen
15 and Dylan and Maurice were working on that
16 site prior to it going up. So -- and I
17 thought they left in 2010, but I think that
18 site goes back to when they were the directors
19 and operators of what website.

20 MR. HODGES: Object to the extent
21 that wasn't fully responsive to your
22 question.

23 BY MR. MATESKY:

24 Q. And, George, I'm going to say the
25 same thing. Just only answer the question I

1 ask you. We don't -- we don't need more.

2 A. All right.

3 Q. So to the extent part of that
4 answer may not remain part of the record, I
5 will ask a follow-up.

6 The individuals you were referring
7 to, were they working on behalf of the ULC
8 Monastery at the time they worked on the
9 getordained.org website?

10 A. They were registered employees and
11 paid by us and we paid their income taxes,
12 withholding taxes, yes.

13 Q. Do you recall testifying earlier
14 regarding two different meanings of the word
15 "services"?

16 A. Yes, sir.

17 Q. Would a Sunday church service fall
18 under the first definition as you were using
19 it?

20 A. I don't know if it was the first or
21 second. I -- I would say the maid cleaning
22 the toilet or the maid praying were the two
23 examples of services or the -- so I don't know
24 church services. I'm a little lost with your
25 question.

1 Q. Sure.

2 Would a religious event that people
3 attend fall under one of the two definitions
4 as you were using it?

5 A. Yes, sir.

6 MR. HODGES: Object. Sorry. I
7 object to form.

8 BY MR. MATESKY:

9 Q. Would a service provided from one
10 person to another fall under the second
11 definition you referred to?

12 MR. MATESKY: Object to form.

13 THE WITNESS: Yes, sir.

14 BY MR. MATESKY:

15 Q. Is it possible that a service
16 provided from one person to another could also
17 be religious in nature?

18 A. Hm. In a religious service, could
19 you hand a person a glass of water or could
20 you provide them with extra food? I guess
21 ambiguous, but, yes, I think we could. I
22 really don't know. I -- it's hypothetical,
23 sir. I don't know -- I'm assuming yes. It
24 could happen.

25 Q. Have you ever heard anyone use the

1 words "get ordained" to identify the category
2 of any of those services, under either of
3 those definitions?

4 A. No.

5 MR. MATESKY: Nothing further.

6 MR. HODGES: Thank you for coming
7 in today, Mr. Freeman.

8 THE WITNESS: Thank you.

9 THE STENOGRAPHER: Mr. Hodges, do
10 you want a copy of this deposition?

11 MR. HODGES: Yes, please, Gwen.

12 THE STENOGRAPHER: Mr. Matesky, how
13 about you?

14 MR. MATESKY: Not right now. I'll
15 let you know.

16 THE STENOGRAPHER: Thank you.

17 (Time noted: 10:21 a.m.)

18
19
20 _____
21 GEORGE FREEMAN

22 Subscribed and sworn to before me this _____
23 day of _____, 2021.

1 C E R T I F I C A T E

2 STATE OF WASHINGTON)

3) SS.:

4 COUNTY OF ISLAND)

5
6 I, GWEN S. BRASS, a Certified
7 Shorthand Reporter within and for the state of
8 Washington, do hereby certify:

9 That GEORGE FREEMAN, the witness
10 whose deposition is hereinbefore set forth,
11 was duly sworn by me and that such deposition
12 is a true record of the testimony given by
13 such witness.

14 I further certify that I am not
15 related to any of the parties to this action
16 by blood or marriage; and that I am in no way
17 interested in the outcome of this matter.

18 IN WITNESS WHEREOF, I have hereunto
19 set my hand this 25th day of January, 2021.

20
21
22
23 _____
24 Gwen Brass, CCR 1908
25

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* * *

ERRATA SHEET FOR THE TRANSCRIPT OF:

Case Name: AMM v ULCMS

Dep. Date: January 12, 2021

Deponent: GEORGE FREEMAN

CORRECTIONS:

Pg.	Ln.	Now Reads	Should Read	Reason
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Signature of Deponent

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THIS _____ DAY OF _____, 2021.

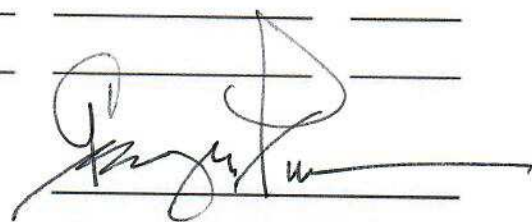
(Notary Public) MY COMMISSION EXPIRES: _____

ERRATA SHEET FOR THE TRANSCRIPT OF:

Case Name: AMM v ULCMS
 Dep. Date: January 12, 2021
 Deponent: GEORGE FREEMAN

CORRECTIONS:

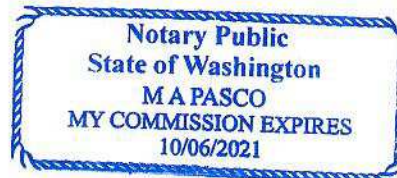
Pg.	Ln.	Now Reads	Should Read	Reason
187	24-25		"I'm an eighty-two-year-old"	Transcription Error
193	8		Remove "subligatory", replace w/ "sacerdotal"	Transcription Error
216	7	Reads "Kanasuki"	Replace with "Yoshioka"	Transcription Error



Signature of Deponent

SUBSCRIBED AND SWORN BEFORE ME

THIS 18 DAY OF February, 2021.

(Notary Public) MY COMMISSION EXPIRES: 10/6/21

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

AMERICAN MARRIAGE
MINISTRIES,

Opposer,

v.

UNIVERSAL LIFE CHURCH
MONASTERY STOREHOUSE,

Applicant.

Opposition No. 91237315

TESTIMONY DECLARATION OF
GEORGE FREEMAN

I, George Freeman, declare as follows:

1. I am over the age of eighteen years and otherwise competent to testify in this matter.
2. I make this declaration based on my personal knowledge.
3. I have been a minister of the Universal Life Church for over 43 years.
4. Universal Life Church Monastery Storehouse (“ULC Monastery”) is a Washington non-profit corporation and is the Applicant in this matter.
5. I am the President and Presiding Chaplain of ULC Monastery and have held that role since ULC Monastery was incorporated in 2006.
6. As President and Presiding Chaplain of ULC Monastery, I am familiar with the operations and advertising of ULC Monastery and its services.
7. ULC Monastery has continuously and prominently used the GET ORDAINED trademark in connection with conducting religious ceremonies; ecclesiastical services (ordaining

ministers to perform religious ceremonies), and operation of a website featuring information about religious belief systems since at least 2011.

8. ULC Monastery has operated the GetOrdained.org domain name, and the website available at the GetOrdained.org domain name, since prior to 2011.

9. Although the design elements of the GetOrdained.org website have changed over time, ULC Monastery has continuously and prominently displayed the GET ORDAINED trademark in the header of the home page, and every sub-page, of the GetOrdained.org website, since at least 2011.

10. Attached hereto as Exhibit A is a true and correct copy of the stylized GET ORDAINED trademark displayed in the header of every page of the GetOrdained.org website from some time in 2011 through some time in 2014.

11. Attached hereto as Exhibit B is a true and correct copy of the stylized GET ORDAINED trademark displayed in the header of every page of the GetOrdained.org website from some time in 2014 through to the present.

12. I have been involved in the field of religious services for well over thirty years and have never heard anyone refer to “get ordained” or “get ordained services” as a common or generic term for any class or category of services, including any services provided by ULC Monastery.

13. Based on my extensive experience in the field of religious services, I do not believe that the term “get ordained” has any generic meaning in relation to ULC Monastery’s services.

14. Based on my extensive experience in the field of religious services, I do not believe that the term “get ordained” is used or understood as the common term for any class or category of services provided by ULC Monastery.

15. Based on my extensive experience in the field of religious services, the common terms for services provided by ULC Monastery would include terms like “church services,” “religious services,” “ecclesiastical services,” “marriage ministry services,” “sacerdotal services,” or “online store services.”

16. In the general spiritual context, the words “get ordained” to refer to an individual’s recognition of a calling or motivation to fulfill a spiritual purpose. It is not an act that another person can perform for you, or a service that another can provide to you, but an act or recognition that occurs within oneself.

17. Thus, in the spiritual context, the words “get ordained” do not mean the same thing as the words “become a minister” or “certify your ability to conduct weddings.” Becoming a minister of a particular church, or obtaining a certification that one is able to conduct ministerial duties, is a clerical act and, potentially, a service that can be provided. To “get ordained” is an internal recognition or epiphany of a spiritual calling, which one can only experience within oneself. It is not a service that can be provided by another.

18. I do believe that the words “get ordained” could have different meanings to different people when used in different contexts.

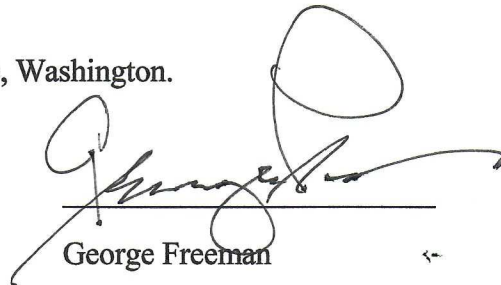
19. Thus, it is certainly possible for someone out in the world to use the words “get ordained,” in some context, and not refer to ULC Monastery, just in the same way someone could tell an athlete worried about how they are going to finish a marathon that they need to “just do it,” without referring to Nike.

20. However, when the phrase “Get Ordained” is used prominently in connection with the religious services, ecclesiastical services, and religious and spiritual information services

provided by ULC Monastery in the manner that trademarks are typically used—as on the GetOrdained.org website, for example—I believe those words mean and are primarily understood as an identification of who is providing the services (ULC Monastery), the same way that “Just Do It” printed on the tags of athletic shoes is understood to identify who is providing the shoes (Nike).

The signatory being warned that willful false statements and the like are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001, and that such willful false statements and the like may jeopardize the validity of the application or submission or any registration resulting therefrom, declares that all statements made of his/her own knowledge are true and all statements made on information and belief are believed to be true.

DATED: December ^{1th} 8, 2020 at Seattle, Washington.



George Freeman

EXHIBIT A

Get 
Ordained
Universal Life Church

EXHIBIT B

Get Ordained



UNIVERSAL LIFE CHURCH

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

AMERICAN MARRIAGE
MINISTRIES,

Opposer,

v.

UNIVERSAL LIFE CHURCH
MONASTERY STOREHOUSE,

Applicant.

Opposition No. 91237315

TESTIMONY DECLARATION OF
DALLAS GOSCHIE

I, Dallas Goschie, declare as follows:

1. I am over the age of eighteen years and otherwise competent to testify in this matter.
2. I make this declaration based on my personal knowledge.
3. I first began working for Applicant Universal Life Church Monastery Storehouse (“ULC Monastery”) as an administrative assistant in the summer of 2013.
4. From July of 2014 to the present, I have been Operations Manager for ULC Monastery.
5. In my roles with ULC Monastery, I am familiar with the day-to-day operations of ULC Monastery.
6. ULC Monastery has operated a website at GetOrdained.org since at least 2014.

7. ULC Monastery has offered, advertised, provided, and conducted religious ceremonies, ecclesiastical services (ordaining ministers to perform religious ceremonies), and operation of a website featuring information about religious belief systems, through the GetOrdained.org website, since at least 2014.

8. ULC Monastery also offers, advertises, and provides online retail store services through the GetOrdained.org website, through which users can purchase various products.

9. ULC Monastery has continuously and prominently used the GET ORDAINED trademark on the home page, and every sub-page, of the GetOrdained.org website, since at least 2014.

10. Attached hereto as Exhibit A are two screen captures that accurately depict the content and appearance, including the use and display of the GET ORDAINED trademark, of the ordination application page of the GetOrdained.org website (available at GetOrdained.org/free-ordination) as it appeared on or about September 27, 2014. The only difference is that the first screen capture (on the first page of Exhibit A), displays a timeline from the Internet Archive Wayback Machine, which would not have appeared on the ordination application page of the GetOrdained.org website (available at GetOrdained.org/free-ordination) on or about September 27, 2014.

11. Although the design elements of the GetOrdained.org website have changed over time, ULC Monastery has continuously and prominently displayed the GET ORDAINED trademark in the header of the home page, and every sub-page, of the GetOrdained.org website, since at least 2014.

12. Over the years that I have been affiliated with ULC Monastery, ULC Monastery has modified, improved, and increasingly emphasized its use of the GET ORDAINED trademark as a brand for its services. This includes preparing and using various stylized versions of the GET ORDAINED mark, and experimenting with different uses and placements of the GET ORDAINED mark.

13. ULC Monastery emphasizes that GET ORDAINED is a brand and a designation of the church (ULC Monastery) that is providing ecclesiastical services, as opposed to a description of such services. For example, attached hereto as Exhibit B are two screen captures that accurately depict the content and appearance, including the use and display of the GET ORDAINED trademark, of the “About” page of the GetOrdained.org website (available at GetOrdained.org/about) as it appeared on or about September 23, 2017. The only difference is that the first screen capture (on the first page of Exhibit B), displays a timeline from the Internet Archive Wayback Machine, which would not have appeared on the “About” page of the GetOrdained.org website (available at GetOrdained.org/about) on September 23, 2017.

14. ULC Monastery also uses the GET ORDAINED trademark, as a trademark, in other contexts, in reference to the provider of ULC Monastery’s services.

15. For example, while in ULC Monastery offices, I have overheard ULC Monastery telephone operators, while in conversations with ministers and/or prospective ministers, use the GET ORDAINED trademark orally to refer to the source or entity providing ecclesiastical services, such as “You became a minister through GET ORDAINED, right?”

16. In my experience, the class or genus of services provided by ULC Monastery, whereby someone may become a ULC Monastery minister, is commonly identified as “religious

services,” “church services,” “ecclesiastical services,” or “ordination services.” In my experience, the class or genus of services whereby ULC Monastery sells ministerial goods is commonly identified as “retail sales services, or “retail store services,” or “online store services.” In all my life, both before and after becoming affiliated with ULC Monastery, I cannot recall ever having heard anyone use the words “get ordained” to identify these classes of services, or any other class or genus of goods or services.

17. It is my belief, based on my experience interacting with other ULC Monastery ministers and prospective ministers, that, when the GET ORDAINED trademark is used prominently in connection with the ecclesiastical services provided by ULC Monastery, in the manner that trademarks are commonly used, actual and prospective ministers view it primarily as a brand, and not merely as a description of the services themselves.

The signatory being warned that willful false statements and the like are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001, and that such willful false statements and the like may jeopardize the validity of the application or submission or any registration resulting therefrom, declares that all statements made of his/her own knowledge are true and all statements made on information and belief are believed to be true.

DATED: December 15, 2020 at Seattle, Washington.


Dallas Goschie

EXHIBIT A



Instant Online Ordination

Welcome! You are about to become an ordained minister with the Universal Life Church Ministry.

Online Ordination Request Form

* First Name

Middle Name

* Last Name

Do not include titles and please capitalize correctly e.g. use "Peter Patterson" not "Dr. Peter Patterson"

* E-mail

* Country

United States

* State/Province

-- Select a State --

* Address

* City

* Zip/Postal

* Choose password

* Confirm password

You can use your password to look up your ordination credential any time.

- ☐ I certify that I am over the age of 13
- ☒ Join our monthly newsletter

* = required field

Submit Ordination Request

NOTICE:

Our confirmation email can get caught in your spam filter. If you do not get your confirmation email within 10 mins please check your junk / spam filter.

We think the service that the Universal Life Church does is very important in our time, as an act of freedom of religion, the first amendment of the US Constitution. By being ordained, you have the right to perform weddings and baptisms. And if you choose to delve deeper, you can become a part of a community of people who are defining their philosophy of how to live and have a relationship with God, themselves, their family and friends, or simply the energy of the combined human psyche.

- Please fill out the form above completely to become ordained. Your information will be placed in our minister database.
- The ULC Monastery respects your privacy and will not share your information with any third parties. **We will not e-mail you unless you subscribe to our newsletter**, or we have information to share that is pertinent to your ordination.
- You must enter your name and address in order for the application to be accepted and legalized.
- Due to privacy law we cannot accept ordinations online for children under the age of 13. **By submitting this form you agree that you are over the age of 13.**
- **Only valid legal names and addresses will be accepted.**



Get Ordained/Universal Life Church
11501 Dublin Blvd, Ste. 200
Dublin, CA 94568

Phone: (925) 891-8024
Fax: (925) 891-8025
Email: info@getordained.org

Instant Online Ordination

Welcome! You are about to become an ordained minister with the Universal Life Church Ministry.

Online Ordination Request Form

* First Name	<input type="text"/>
Middle Name	<input type="text"/>
* Last Name	<input type="text"/>
Do not include titles and please capitalize correctly e.g. use "Peter Patterson" not "Dr. Peter Patterson"	
* E-mail	<input type="text"/>
* Country	<input type="text" value="United States"/>
* State/Province	<input type="text" value="-- Select a State --"/>
* Address	<input type="text"/>
* City	<input type="text"/>
* Zip/Postal	<input type="text"/>
* Choose password	<input type="password"/>
* Confirm password	<input type="password"/>

You can use your password to look up your ordination credential any time.

☐ I certify that I am over the age of 13

☒ Join our monthly newsletter

* = required field

Submit Ordination Request

NOTICE:

Our confirmation email can get caught in your spam filter. If you do not get your confirmation email within 10 mins please check your junk / spam filter.

We think the service that the Universal Life Church does is very important in our time, as an act of freedom of religion, the first amendment of the US Constitution. By being ordained, you have the right to perform weddings and baptisms. And if you choose to delve deeper, you can become a part of a community of people who are defining their philosophy of how to live and have a relationship with God, themselves, their family and friends, or simply the energy of the combined human psyche.

- Please fill out the form above completely to become ordained. Your information will be placed in our minister database.
- The ULC Monastery respects your privacy and will not share your information with any third parties. **We will not e-mail you unless you subscribe to our newsletter**, or we have information to share that is pertinent to your ordination.
- You must enter your name and address in order for the application to be accepted and legalized.
- Due to privacy law we cannot accept ordinations online for children under the age of 13. **By submitting this form you agree that you are over the age of 13.**
- Only valid legal names and addresses will be accepted.



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Fax: (925) 891-8025
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EXHIBIT B

About Get Ordained™



Here at Get Ordained™, [legal ordination](#) is just a few clicks away. Traditionally, becoming ordained is an arduous process. It requires years of study in a seminary school, and tends to be a costly endeavor. Unfortunately, these requirements deter many people who want to become a minister but don't have the extra time or money lying around.

That's where we come along! Perhaps a friend or family member is planning to get married, but they don't want a stranger officiating the ceremony. By removing the conventional obstacles to ordination, we make it easy to become a minister. Officiating a wedding (or any other type of ceremony, for that matter) has never been simpler. We're proud to provide an ordination process that is fast, free, and straightforward.

Anyone Can Become a Minister

Get Ordained™ is open to everyone – regardless of religious preference, gender, sexual orientation, nationality, or any other identifying factor. Get Ordained™ ordinations are processed by Universal Life Church Ministries, a non-denominational, non-discriminatory faith organization with millions of members all over the globe.

Our guiding principle is simple: individuals are free to live their spiritual truth however they see fit, so as long as their beliefs and practices do not infringe upon the freedoms or rights of others.

[Become a minister with Get Ordained™](#)

What Comes After Ordination?

While using Get Ordained™ is hassle-free, most people do appreciate some guidance when it comes to specific aspects of being an ordained minister. That's why we've created ceremony-specific training materials and tools to help ministers get started. Whether you're officiating a wedding, performing a baptism, or planning to start your own church, we encourage you to visit the [Get Ordained™ Training Center](#) for assistance and to make sure things go smoothly.

Finally, we offer a broad catalog of items in our [Ministry Supplies](#) section. You'll find everything from official clergy apparel to wedding packages that contain everything you'll need for the big day.



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